

EASTERN DISTRICT OF CALIFORNIA

Defendants.

**ORDER VACATING STATUS
CONFERENCE IN LIGHT OF NEED
FOR THE CONTINUED STAY OF
THESE PROCEEDINGS**

On this date however, it has come to this Court's attention that a Petition for Writ of Certiorari was in fact filed on behalf of Victor VeVea on December 7, 2011, with the United States Supreme Court. The matter has been assigned case number 11-7787.

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1 In light of the aforementioned, and the fact that the parties previously agreed such a filing
2 would require the continued stay of these proceedings (*see* Doc. 91 at 5), the status conference
3 set for January 11, 2012, at 10:30 a.m., is hereby VACATED. This matter remains STAYED
4 pending the outcome of the matter now pending before the United States Supreme Court, entitled
5 *Victor VeVea v. United States*. Finally, the parties SHALL file a joint status report with this
6 Court every 120 days regarding the status of the aforementioned matter. However, the first status
7 report shall be filed no later than March 8, 2012, or, should the Supreme Court deny Certiorari
8 prior to that date, then within 5 Court days of the denial.

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13 IT IS SO ORDERED.

14 **Dated: December 16, 2011**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE